

Exhibit A (Page 01 of 14)



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6/24/2021 1:10 PM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2021L006497

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Summons - Alias Summons		(12/01/20) CCG 0001 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Name all Parties

CORNELL BRISCO

Plaintiff(s)

v.

CITY OF CHICAGO et al.,

Defendant(s)

Anna M. Valencia, City Clerk, 121 North
LaSalle Street, Room 107, Chicago, IL 60602

Address of Defendant(s)

Case No. _____

RECEIVED
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CITY CLERK

Please serve as follows (check one): ☐ Certified Mail ☒ Sheriff Service ☐ Alias

SUMMONS

To each Defendant:

You have been named a defendant in the complaint in this case, a copy of which is hereto attached. You are summoned and required to file your appearance, in the office of the clerk of this court, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

THERE WILL BE A FEE TO FILE YOUR APPEARANCE.

To file your written appearance/answer YOU DO NOT NEED TO COME TO THE COURTHOUSE. You will need: a computer with internet access; an email address; a completed Appearance form that can be found at <http://www.illinoiscourts.gov/Forms/approved/procedures/appearance.asp>; and a credit card to pay any required fees.

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org



Exhibit A (Page 02 of 14)

Summons - Alias Summons

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E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit www.illinoislegalaid.org.

If you are unable to pay your court fees, you can apply for a fee waiver. For information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to www.illinoislegalaid.org. You can also ask your local circuit clerk's office for a fee waiver application.

Please call or email the appropriate clerk's office location (on Page 3 of this summons) to get your court hearing date AND for information whether your hearing will be held by video conference or by telephone. The Clerk's office is open Mon - Fri, 8:30 am - 4:30 pm, except for court holidays.

NOTE: Your appearance date is NOT a court date. It is the date that you have to file your completed appearance by. You may file your appearance form by e-filing unless you are exempted.

A court date will be set in the future and you will be notified by email (either to the email address that you used to register for e-filing, or that you provided to the clerk's office).

CONTACT THE CLERK'S OFFICE for information regarding COURT DATES by visiting our website: cookcountyclerkofcourt.org; download our mobile app from the AppStore or Google play, or contact the appropriate clerk's office location listed on Page 3.

To the officer: (Sheriff Service)

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than thirty (30) days after its date.

☐ Atty. No.: 60626

☐ Pro Se 99500

Name: Arlo Walsman

Atty. for (if applicable):

Plaintiff

Address: 161 N. Clark St., Suite 2500

City: Chicago

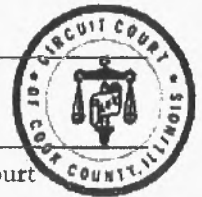
State: IL Zip: 60601

Telephone: (312) 313-0035

Primary Email: arlo@arlolawoffice.com

Witness date 6/24/2021 1:10 PM IRIS Y. MARTINEZ

IRIS Y. MARTINEZ, Clerk of Court



☐ Service by Certified Mail: _____

☐ Date of Service: _____
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Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois
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Exhibit A (Page 03 of 14)

GET YOUR COURT DATE BY CALLING IN OR BY EMAIL

CALL OR SEND AN EMAIL MESSAGE to the telephone number or court date email address below for the appropriate division, district or department to request your next court date. Email your case number, or, if you do not have your case number, email the Plaintiff or Defendant's name for civil case types, or the Defendant's name and birthdate for a criminal case.

CHANCERY DIVISION

Court date EMAIL: ChanCourtDate@cookcountycourt.com
Gen. Info: (312) 603-5133

CIVIL DIVISION

Court date EMAIL: CivCourtDate@cookcountycourt.com
Gen. Info: (312) 603-5116

COUNTY DIVISION

Court date EMAIL: CntyCourtDate@cookcountycourt.com
Gen. Info: (312) 603-5710

**DOMESTIC RELATIONS/CHILD SUPPORT
DIVISION**

Court date EMAIL: DRCourtDate@cookcountycourt.com
OR
ChildSupCourtDate@cookcountycourt.com
Gen. Info: (312) 603-6300

DOMESTIC VIOLENCE

Court date EMAIL: DVCourtDate@cookcountycourt.com
Gen. Info: (312) 325-9500

LAW DIVISION

Court date EMAIL: LawCourtDate@cookcountycourt.com
Gen. Info: (312) 603-5426

PROBATE DIVISION

Court date EMAIL: ProbCourtDate@cookcountycourt.com
Gen. Info: (312) 603-6441

ALL SUBURBAN CASE TYPES**DISTRICT 2 - SKOKIE**

Court date EMAIL: D2CourtDate@cookcountycourt.com
Gen. Info: (847) 470-7250

DISTRICT 3 - ROLLING MEADOWS

Court date EMAIL: D3CourtDate@cookcountycourt.com
Gen. Info: (847) 818-3000

DISTRICT 4 - MAYWOOD

Court date EMAIL: D4CourtDate@cookcountycourt.com
Gen. Info: (708) 865-6040

DISTRICT 5 - BRIDGEVIEW

Court date EMAIL: D5CourtDate@cookcountycourt.com
Gen. Info: (708) 974-6500

DISTRICT 6 - MARKHAM

Court date EMAIL: D6CourtDate@cookcountycourt.com
Gen. Info: (708) 232-4551

Exhibit A (Page 04 of 14)



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Address of Defendant(s)

Case No. _____

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Exhibit A (Page 05 of 14)



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☐ Atty. No.: 60626

☐ Pro Se 99500

Name: Arlo Walsman

Atty. for (if applicable):

Plaintiff

Address: 161 N. Clark St., Suite 2500

City: Chicago

State: IL Zip: 60601

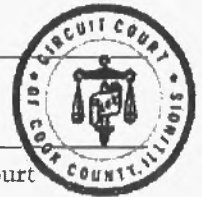
Telephone: (312) 313-0035

Primary Email: arlo@arlolawoffice.com

Witness date

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IRIS Y. MARTINEZ, Clerk of Court



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☐ Date of Service: (To be inserted by officer on copy left with employer or other person)

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IRIS Y. MARTINEZ

CIRCUIT CLERK

COOK COUNTY, IL

2021L006497

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CORNELL BRISCO,

Plaintiff,

v.

Case No. _____

CITY OF CHICAGO, a municipal corporation,

Officer XENIA ORDONEZ (Star 18259),

Officer KAMIL WAZNY (Star 6414),

Officer EDGAR ESCOBAR (Star 6967), and

Officer EDUARDO HERNANDEZ (Star 6838),

in their individual capacities,

Defendants.

COMPLAINT

Plaintiff, Cornell Brisco, by his attorney, Arlo Walsman of the Arlo Law Office, hereby brings the following Complaint against Defendants, the City of Chicago, Officer Xenia Ordonez, Officer Kamil Wazny, Officer Edgar Escobar, and Officer Eduardo Hernandez.

FACTS COMMON TO ALL COUNTS

1. Plaintiff is a resident of Chicago, Illinois.
2. Defendant City of Chicago is a municipal corporation in Cook County, Illinois.
3. Upon information and belief, Defendants Ordonez, Wazny, Escobar, and Hernandez are residents of Chicago, Illinois.
4. Defendants Ordonez, Wazny, Escobar, and Hernandez are sued in their individual capacities.
5. At all times relevant to this Complaint, Defendants Ordonez, Wazny, Escobar, and Hernandez were Officers of the Chicago Police Department and were employees of the City of Chicago.

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6. At all times relevant to this Complaint, Defendants Ordonez, Wazny, Escobar, and Hernandez were acting in the course and scope of their duties as police officers and employees of the City of Chicago.

7. On July 3, 2020, Plaintiff was at or near 5633 West Washington Boulevard in Chicago, Illinois.

8. On July 3, 2020, Defendants Ordonez, Wazny, Escobar, and Hernandez were on duty and responded to a call of suspected criminal activity at or near 5633 West Washington Boulevard in Chicago, Illinois.

9. When Defendants Ordonez, Wazny, Escobar, and Hernandez arrived at 5633 West Washington Boulevard, one or more of the individual Defendant officers handcuffed Plaintiff's arms and legs, searched him, arrested him, and put him into a Chicago Police Department vehicle.

10. After Plaintiff's arms and legs were handcuffed, one or more of the individual Defendant officers forcefully threw Plaintiff onto the ground.

11. When Plaintiff was thrown to the ground, he struck his head and body on the ground and was injured.

12. Just prior to Plaintiff being placed in a Chicago Police Department vehicle, one or more of the individual Defendant officers forcibly pushed Plaintiff's head and body against the exterior of the Chicago Police Department vehicle, injuring Plaintiff.

13. At no time did Plaintiff resist or obstruct the individual Defendant officers.

COUNT 1**Plaintiff v. Defendants Ordonez, Wazny, Escobar, and Hernandez****(42 U.S.C. 1983, Excessive Force in Making an Arrest)**

Exhibit A (Page 09 of 14)



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1-13. Plaintiff realleges and incorporates paragraphs 1-13 of his Complaint as if fully set forth herein.

14. On July 3, 2020, Defendants used unreasonable force during the arrest of Plaintiff in violation of his Fourth Amendment rights.

15. The force Defendants used against Plaintiff was unreasonable because:

- (a) Plaintiff was searched and handcuffed prior to Defendants' use of excessive force.
- (b) Plaintiff did not pose any threat to the safety of Defendants or other individuals at the scene.
- (c) Plaintiff never resisted arrest or attempted to flee the scene.
- (e) Plaintiff cooperated with Defendants at all times.
- (f) The level of force used by Defendants was not necessary to arrest Plaintiff or to protect police officers or members of the public from harm.

16. At all times relevant to this Complaint, Defendants acted under color of law.

17. On July 21, 2019, Plaintiff's right to be free from the type of excessive force that Defendants used was clearly established.

18. Defendants' conduct was motivated by an evil motive or intent and involved a reckless and callous indifference to Plaintiff's federally protected right to be free from excessive and unreasonable force during an arrest.

19. As a direct and proximate result of Defendants' excessive force against Plaintiff, Plaintiff sustained damages, including but not limited to bodily injuries, pain and suffering, disability, loss of normal life, medical expenses, and emotional distress.

Wherefore, for all the foregoing reasons, Plaintiff respectfully asks this Court to enter judgment in his favor and against Defendants in an amount in excess of \$30,000.00, plus costs and attorney's fees, along with any other relief deemed fair and just.



COUNT 2

Plaintiff v. Defendants Ordonez, Wazny, Escobar, and Hernandez

(Battery)

1-19. Plaintiff realleges and incorporates paragraphs 1-19 of his Complaint as if fully set forth herein.

20. Defendants intentionally caused an unlawful, offensive, and harmful contact with Plaintiff's person when they threw him to the ground while handcuffed and forcefully pushed his head and body onto the exterior of a Chicago Police Department vehicle.

21. Defendants did in fact make an unlawful, offensive, and harmful contact with Plaintiff's person when they threw him to the ground while handcuffed and forcefully pushed his head and body onto the exterior of a Chicago Police Department vehicle.

22. Defendants' conduct was willful and wanton in that they engaged in a course of action that showed actual or deliberate intent to harm Plaintiff, and because they consciously disregarded Plaintiff's safety.

23. Defendants' conduct was willful and wanton in that they ignored an obvious risk that Plaintiff would be injured if he were thrown to the ground while handcuffed and forcefully pushed into the exterior of a Chicago Police Department vehicle.

24. As a direct and proximate result of Defendants throwing Plaintiff to the ground and pushing his head and body onto the exterior of a Chicago Police Department vehicle, Plaintiff was injured and sustained damages, including but not limited to bodily injuries, pain and suffering, disability, loss of normal life, medical expenses, and emotional distress.



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Wherefore, for all the foregoing reasons, Plaintiff respectfully asks this Court to enter judgment in his favor and against Defendants in an amount in excess of \$30,000.00, plus costs and attorney's fees, along with any other relief deemed fair and just.

COUNT 3

Plaintiff v. Defendant City of Chicago

(Battery, Respondeat Superior)

1-24. Plaintiff realleges and incorporates paragraphs 1-24 of his Complaint as if fully set forth herein.

25. On July 3, 2020, Defendant City of Chicago controlled and had a right to control the individual Defendant Officers' conduct.

26. The individual Defendant Officers' conduct in throwing Plaintiff to the ground while handcuffed and forcefully pushing Plaintiff's head and body onto the exterior of a Chicago Police Department vehicle fell within the scope of their employment as police officers.

Wherefore, for all the foregoing reasons, Plaintiff respectfully asks this Court to enter judgment in his favor and against Defendant City of Chicago in an amount in excess of \$30,000.00, plus costs and attorney's fees, along with any other relief deemed fair and just.

COUNT 4

Plaintiff v. Defendants Ordonez, Wazny, Escobar, and Hernandez

(Willful and Wanton Conduct)

1-26. Plaintiff realleges and incorporates paragraphs 1-24 of his Complaint as if fully set forth herein.



27. On July 3, 2020, Defendants had a duty to refrain from willful and wanton conduct during the performance of their duties as police officers.

28. On July 3, 2020, Defendants acted in a willful and wanton manner showing an utter indifference to or conscious disregard for Plaintiff's safety, in one or more of the following ways:

- (a) Forcefully throwing Plaintiff to the ground and pushing his head and body onto the exterior of a Chicago Police Department vehicle.
- (b) Ignoring the possibility that Plaintiff could become seriously injured if he was thrown to the ground while handcuffed or if his head or body was forcefully pushed onto the exterior of a Chicago Police Department vehicle.
- (c) Failing to arrest Plaintiff, who was not resisting or obstructing arrest, without injuring him.

29. Defendants knew or should have known that their willful and wanton conduct as described above would lead to Plaintiff becoming injured.

30. As a direct and proximate cause of Defendants' willful and wanton acts and omissions, Plaintiff was injured and sustained damages, including but not limited to bodily injuries, pain and suffering, disability, loss of normal life, medical expenses, and emotional distress.

Wherefore, for all the foregoing reasons, Plaintiff respectfully asks this Court to enter judgment in his favor and against Defendants in an amount in excess of \$30,000.00, plus costs and attorney's fees, along with any other relief deemed fair and just.

COUNT 5

Plaintiff v. Defendant City of Chicago

(Willful and Wanton Conduct, Respondeat Superior)



* 5 0 0 8 6 7 1 0 *

1-30. Plaintiff realleges and incorporates paragraphs 1-30 of his Complaint as if fully set forth herein.

31. On July 3, 2020, Defendant City of Chicago controlled and had a right to control the individual Defendant Officers' conduct.

32. The individual Defendant Officers' willful and wanton conduct towards Plaintiff fell within the scope of their employment as police officers.

Wherefore, for all the foregoing reasons, Plaintiff respectfully asks this Court to enter judgment in his favor and against Defendant City of Chicago in an amount in excess of \$30,000.00, plus costs and attorney's fees, along with any other relief deemed fair and just.

COUNT 6

Plaintiff v. Defendant City of Chicago

(Indemnification Pursuant to 745 ILCS 10/9-102)

1-32. Plaintiff realleges and incorporates paragraphs 1-55 of his Complaint as if fully set forth herein.

33. 745 ILCS 10/9-102 provides in part that "[a] local public entity is empowered and directed to pay any tort judgment or settlement for compensatory damages (and may pay any associated attorney's fees and costs) for which it or an employee while acting within the scope of his employment is liable in the manner provided in this Article."

34. Pursuant to 745 ILCS 10/9-102, Plaintiff demands that Defendant City of Chicago indemnify the individual Defendant Officers by paying any judgment or settlement, including any award of attorney's fees and costs, for compensatory and punitive damages for which they are liable

Exhibit A (Page 14 of 14)



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Wherefore, for all the foregoing reasons, Plaintiff respectfully requests that this Court enter an order directing Defendant City of Chicago to pay any judgment or settlement, including any award of attorney's fees and costs, for compensatory damages and punitive damages for which the individual Defendant Officers are liable, along with any other relief deemed fair and just.

Respectfully Submitted,

By: /s/ ARLO WALSMAN

Arlo Law Office
Attorney for Plaintiff
161 North Clark Street, Suite 2500
Chicago, Illinois 60601
(312) 313-0035
arlo@arlolawoffice.com
Attorney No. 6321684